



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*86 Chambers Street  
New York, New York 10007*

February 3, 2020

**VIA ECF**

Honorable J. Paul Oetken  
United States District Court Judge  
United States Courthouse  
40 Foley Square  
New York, NY 10007

RE: *Mercado v. United States*, 18 Civ. 1525 (JPO)

Dear Judge Oetken:

This Office represents defendant United States of America in the above-captioned medical malpractice action brought pursuant to the Federal Tort Claims Act. I write respectfully to request that the Court adjourn the conference currently scheduled for February 21, 2020, at 11:45 a.m. The undersigned attorney will be travelling out of the country on that day, and will be unable to attend the conference.

The Government has conferred with opposing counsel, and both counsel are available the following week on February 27 and 28, 2020. If those dates do not work for the Court, counsel will confer and provide additional dates and times. The parties have not sought to adjourn this conference before, but the parties have sought and received three prior extensions of the fact discovery deadline, which has affected the date of this conference. Plaintiff consents to the adjournment.

We thank the Court for its consideration of this letter motion.

Respectfully,

GEOFFREY S. BERMAN  
United States Attorney  
Southern District of New York

APPLICATION GRANTED. The  
conference is adjourned to February 27,  
2020 at 10:00 a.m. Dated 2/6/2020.

SO ORDERED.

LEWIS J. LIMAN  
United States District Judge

By: /s/Arastu K. Chaudhury  
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*Attorney for the United States of America*

CC: Kenneth Auerbach, Esq. (via ECF)